

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)
)
Petitioner,)
)
v.) CERTIFICATION OF A
) SEXUALLY DANGEROUS PERSON
KENDRICK R. DOUGLAS,)
Register Number 45013-079,)
)
Respondent.)

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 21st day of July, 2010.

George E. B. Holding
United States Attorney

/s/ Michael Lockridge
Michael Lockridge
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
310 New Bern Avenue
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N.C. Bar # 28644

CERTIFICATE OF SERVICE

This is to certify that I have this 21st day of July, 2010, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Kendrick R. Douglas
Reg. No. 45013-079
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Lockridge
Michael Lockridge
Special Assistant U.S. Attorney
Attorney for Petitioner
U.S. Attorney's Office Civil Division
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461
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CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Ivonne E. Bazerman, am Acting Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Kendrick R. Douglas, Register Number 45013-079, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of a 121-month term of imprisonment and a 60-month term of supervised release, following his conviction for two counts of Transportation of Visual Depiction of Minor Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. § 2252(a)(1) (E.D. Cal.) (Case No. 2:02CR00058-01). His offense conduct included sending images of minor children engaging in sexually explicit conduct over the Internet to a citizen informant (CI) posing as a 13-year-old girl. When he later discovered that the CI was not a 13-year-old girl, he asked the CI if she could get him "a real live child to play with" and expressed a willingness to travel from Texas to California for the purpose of engaging in sexual conduct with a nine-year-old girl. His projected release date is December 16, 2010.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

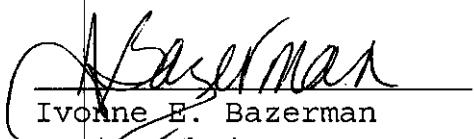
(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his prior convictions for: Indecency With a Child, in the 122nd Judicial District Court, Galveston County, Texas (Case No. 95CR1593), for taking a seven-year-old boy swimming, bathing the victim twice after swimming, removing his clothes and getting into the bathtub with the victim during the second bath, and having the victim lay naked on a bed and inserting a thermometer into his rectum; Indecency With a Child, in the 122nd Judicial District Court, Galveston County, Texas (Case No. 95CR1594), for fondling an eight-year-old boy's genitals under his clothes, licking the victim's genitals, and having the victim lick his genitals; and Indecency With a Child and two counts of Sexual Assault of a Child, in the 198th Judicial District Court, Kerr County, Texas (Case No. B95-159), for repeatedly fondling the genitals of a fourteen-year-old boy, performing oral sex

on the victim, and inserting his finger into the victim's rectum. He also directed a ten-year-old boy to disrobe in order to perform a tick inspection, directed the victim to sleep without wearing any underwear so he could perform additional tick inspections, and placed his bed next to the victim's bed and fondled the victim's buttocks during the night;

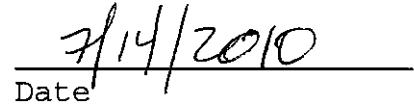
(b) A psychological review and assessment indicated Axis I diagnoses of Pedophilia, Sexually Attracted to Both, Nonexclusive Type, and Adjustment Disorder, with Mixed Anxiety and Depressed Mood (provisional); Axis II diagnosis of Personality Disorder Not Otherwise Specified, with Avoidant and Antisocial Features;

(c) A review and assessment of him using an actuarial risk assessment instrument (Static-99R) was conducted. This result, in addition to his current and prior offense conduct, intimacy deficits, sexually re-offending while enrolled in a sex offender treatment program, and poor sexual self-regulation, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Ivonne E. Bazerman
Acting Chairperson
Certification Review Panel
Federal Bureau of Prisons



Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)
)
Petitioner,)
)
v.) ORDER
)
KENDRICK R. DOUGLAS,)
Register Number 45013-079,)
)
Respondent.)

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and

expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

Any and all future forensic reports, and other such psychological and psychiatric reports or documents relevant to this case, whether such reports are produced by the Federal Bureau of Prisons, independent examiners appointed by order of this Court, or other mental health professionals, shall be filed with this Court under seal.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2010.
